

Exhibit 1

**U.S. District Court
Eastern District of New York (Brooklyn)
CIVIL DOCKET FOR CASE #: 1:22-cv-00893-LDH-TAM**

Trooper 1 v. New York State Police et al
Assigned to: Judge LaShann DeArcy Hall
Referred to: Magistrate Judge Taryn A. Merkl
related Case: [1:22-mc-03044-LDH-TAM](#)
Cause: 42:1983 Civil Rights Act

Date Filed: 02/17/2022
Jury Demand: Plaintiff
Nature of Suit: 442 Civil Rights: Jobs
Jurisdiction: Federal Question

Plaintiff

Trooper 1

represented by **John S. Crain**
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V.

Defendant

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Defendant

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Defendant

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Elkan Abramowitz
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Paul Shechtman
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Joseph Stern
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Rachel Fleig-Goldstein
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TERMINATED: 12/05/2022
ATTORNEY TO BE NOTICED

| Date Filed | # | Docket Text |
|------------|--------------------------|--|
| 02/17/2022 | <u>1</u> | COMPLAINT against Andrew Cuomo, Melissa DeRosa, New York State Police filing fee \$ 402, receipt number ANYEDC-15301995, filed by Trooper 1. (Attachments: # <u>1</u> Civil Cover Sheet, # <u>2</u> Proposed Summons as to New York State Police, # <u>3</u> Proposed Summons as to Andrew Cuomo, # <u>4</u> Proposed Summons as to Melissa DeRosa) (Licul, Valdi) (Entered: 02/17/2022) |
| 02/17/2022 | <u>2</u> | NOTICE of Appearance by John S. Crain on behalf of Trooper 1 (aty to be noticed) (Crain, John) (Entered: 02/17/2022) |
| 02/17/2022 | | Case Assigned to Judge LaShann DeArcy Hall and Magistrate Judge Taryn A. Merkl. Please download and review the Individual Practices of the assigned Judges, located on our website . Attorneys are responsible for providing courtesy copies to judges where their Individual Practices require such. (Bowens, Priscilla) (Entered: 02/17/2022) |
| 02/17/2022 | <u>3</u> | MOTION to Continue <i>Anonymously under a Pseudonym</i> by Trooper 1. (Attachments: # <u>1</u> Memorandum in Support of Motion, # <u>2</u> Declaration of Valdi Licul in Support of Motion) (Licul, Valdi) (Entered: 02/17/2022) |
| 02/17/2022 | <u>4</u> | Summons Issued as to All Defendants. (Attachments: # <u>1</u> DeRosa summons, # <u>2</u> Cuomo summons) (Bowens, Priscilla) (Entered: 02/17/2022) |
| 02/17/2022 | <u>5</u> | In accordance with Rule 73 of the Federal Rules of Civil Procedure and Local Rule 73.1, the parties are notified that <i>if</i> all parties consent a United States magistrate judge of this court is available to conduct all proceedings in this civil action including a (jury or nonjury) trial and to order the entry of a final judgment. Attached to the Notice is a blank copy of the consent form that should be filled out, signed and filed |

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| 04/07/2022 | 22 | Second MOTION for Extension of Time to File Answer re 7 Amended Complaint <i>Proposed Stipulation and Order to Extend time to Answer</i> by New York State Police. (Moore, Daniel) (Entered: 04/07/2022) |
| 04/08/2022 | | ORDER: Motion for Extension of Time 22 is granted, on consent. Defendant New York State Police shall file an Answer, move, or otherwise respond to the Amended Complaint on or before 5/6/2022 . In light of this extension, Motion to Withdraw 21 is granted and Motion for Pre Motion Conference 20 is terminated as moot, on consent. So Ordered by Magistrate Judge Taryn A. Merkl on 4/8/2022. (Devanathan, Deepa) (Entered: 04/08/2022) |
| 04/18/2022 | 23 | RESPONSE to Motion re 3 MOTION to Continue <i>Anonymously under a Pseudonym Consenting to Motion and Reserving Right to Revisit</i> filed by Andrew Cuomo. (Glavin, Rita) (Entered: 04/18/2022) |
| 04/18/2022 | 24 | Letter to Request a Pre-Motion Conference by Andrew Cuomo (Glavin, Rita) (Entered: 04/18/2022) |
| 04/25/2022 | 25 | Letter in Response to Defendant Cuomo's Request for a Pre-Motion Conference (Dkt. No. 24) by Trooper 1 (Licul, Valdi) (Entered: 04/25/2022) |
| 05/06/2022 | 26 | ANSWER to 7 Amended Complaint by New York State Police. (Steele, Joshua) (Entered: 05/06/2022) |
| 05/09/2022 | 27 | SCHEDULING ORDER: A telephonic Initial Conference will be held on 6/6/2022 at 11:30 a.m. before Magistrate Judge Taryn A. Merkl. The parties are directed to call the toll-free number (877) 336-1839 . The access code is 3914302 . The parties shall dial in five (5) minutes before the scheduled conference. Counsel are directed to complete the attached Case Management Worksheet and electronically file same with the Court no later than 5/31/2022 . Should the parties wish to adopt a plan for discovery different from the structure in the worksheet, they may do so only if they file a letter explaining why such a plan is appropriate in this case. Ordered by Magistrate Judge Taryn A. Merkl on 5/9/2022. (Chan, Kaity) (Entered: 05/09/2022) |
| 05/12/2022 | | ORDER: Defendants' requests 16 24 for a pre-motion conference on their anticipated motions to dismiss are GRANTED. A pre-motion conference shall be held on June 14, 2022, at 2:00 p.m. in Courtroom 4H North. Ordered by Judge LaShann DeArcy Hall on 5/12/2022. (Williams, Erica) (Entered: 05/12/2022) |
| 05/23/2022 | 28 | MOTION to Substitute Attorney by Richard Azzopardi, Melissa DeRosa. (Abramowitz, Elkan) (Entered: 05/23/2022) |
| 05/23/2022 | 29 | NOTICE of Appearance by Catherine Foti on behalf of Richard Azzopardi, Melissa DeRosa (aty to be noticed) (Foti, Catherine) (Entered: 05/23/2022) |
| 05/23/2022 | 30 | NOTICE of Appearance by Joseph Stern on behalf of Richard Azzopardi, Melissa DeRosa (aty to be noticed) (Stern, Joseph) (Entered: 05/23/2022) |
| 05/23/2022 | 31 | NOTICE of Appearance by Rachel Fleig-Goldstein on behalf of Richard Azzopardi, Melissa DeRosa (aty to be noticed) (Fleig-Goldstein, Rachel) (Entered: 05/23/2022) |
| 05/24/2022 | | ORDER: Motion to Substitute 28 is granted. So Ordered by Magistrate Judge Taryn A. Merkl on 5/24/2022. (Devanathan, Deepa) (Entered: 05/24/2022) |
| 05/31/2022 | 32 | Joint MOTION to Adjourn Conference <i>Scheduled for June 14, 2022</i> by Andrew Cuomo. (Glavin, Rita) (Entered: 05/31/2022) |
| 05/31/2022 | 33 | Proposed Scheduling Order (<i>Joint</i>) by Trooper 1 (Licul, Valdi) (Entered: 05/31/2022) |
| 05/31/2022 | 34 | Letter <i>Regarding Proposed Discovery Plan</i> by Andrew Cuomo (Glavin, Rita) (Entered: 05/31/2022) |
| 06/01/2022 | | ORDER: The parties' motion 32 to ADJOURN the June 14, 2022 pre-motion conference is DENIED. Ordered by Judge LaShann DeArcy Hall on 6/1/2022. (Williams, Erica) (Entered: 06/01/2022) |
| 06/06/2022 | 35 | Letter MOTION for pre motion conference <i>to Stay Discovery pending resolution of anticipated Motion to Dismiss Plaintiff's Amended Complaints</i> by Richard Azzopardi, Melissa DeRosa. (Abramowitz, Elkan) (Entered: 06/06/2022) |
| 06/06/2022 | | Minute Entry and Order: A telephonic Initial Conference was held on 6/6/2022 before Magistrate Judge Taryn A. Merkl. Appearances by John Crain and Valdi Licul for Plaintiff; Joshua Steele for Defendant New York State Police; Rita Glavin for Defendant Andrew Cuomo; Elkan Abramowtiz, Catherine Foti, Joseph Stern, and Rachel Fleig-Goldstein for Defendants Melissa DeRosa and Richard Azzopardi. Discussion was held regarding Defendant Cuomo's Letter Regarding Discovery 34 and Defendants DeRosa and Azzopardi noted that they today filed a Motion for Pre Motion Conference 35 in which they seek a stay of discovery pending resolution of their anticipated motion to dismiss. |

The parties represented that they have already completed the Rule 16(b) conference. The parties' proposed discovery schedule is adopted, in part, as follows. Initial disclosures shall be exchanged by **6/13/2022**. First requests for production of documents and interrogatories are due by **6/27/2022**. Phase I discovery shall be completed by **7/29/2022**. The deadline to join new parties or amend the pleadings to add claims against any individual defendant is **6/13/2022**. Plaintiff represented that she anticipates an amendment to add Title VII claims against the New York State Police once her administrative remedies are exhausted with the EEOC. Fact discovery shall be completed by **1/11/2023**. The deadline to file a status report on ECF certifying the close of fact discovery is **1/16/2023**. In their status report certifying the close of fact discovery, the parties are directed to inform the Court whether they need an expert discovery schedule and, if needed, propose an expert discovery schedule. In the event that no expert discovery schedule is set, the deadline to initiate any dispositive motions is **2/16/2023**, and should be done in accordance with the individual rules of the assigned District Judge.

Brief discussion was held regarding Plaintiff's Motion to Proceed Using a Pseudonym [3](#). Defendants DeRosa and Azzopardi are directed to file a letter by **6/7/2022** in response to Plaintiff's Motion to Proceed Using a Pseudonym [3](#).

A telephonic Status Conference will be held on **8/15/2022 at 10:00 a.m.** before Magistrate Judge Taryn A. Merkl. The parties are directed to call the toll-free number **(877) 336-1839**. The access code is **3914302**. The parties shall dial in five (5) minutes before the scheduled conference. The parties are directed to be prepared to discuss their progress as to discovery. Ordered by Magistrate Judge Taryn A. Merkl on 6/3/2022. (AT&T Log #11:33-12:20.) (Devanathan, Deepa) (Entered: 06/06/2022)

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| 06/06/2022 | 36 | Letter to the Court Re: Plaintiff's Motion to Continue Anonymously Pursuant to FRCP 10(a) [dkt no. 3] by Richard Azzopardi, Melissa DeRosa (Abramowitz, Elkan) (Entered: 06/06/2022) |
| 06/09/2022 | 37 | MEMORANDUM AND ORDER: For the reasons contained in the attached Memorandum, Plaintiff's motion to proceed using a pseudonym 3 is granted without prejudice to Defendants to revisit this issue before trial. So Ordered by Magistrate Judge Taryn A. Merkl on 6/9/2022. (Devanathan, Deepa) (Entered: 06/09/2022) |
| 06/10/2022 | | ORDER: The Court is in receipt of a voicemail left by counsel for Defendant Cuomo regarding a scheduling conflict for the June 14, 2022 pre-motion conference. In light of the parties' conflicts, the pre-motion conference is ADJOURNED SINE DIE. In lieu of the pre-motion conference, the parties shall brief Defendants' motions to dismiss in accordance with this Court's Individual Rules and Practices. Defendants shall serve Plaintiff with any motions to dismiss on or before July 11, 2022. Plaintiff shall serve Defendants with any opposition papers on or before August 12, 2022. Defendants shall serve any replies on or before August 26, 2022. As a courtesy, unless objected to by the parties, the Court asks that the parties file the motions only once they are fully briefed. Defendants shall provide the Court with a courtesy copy of the filed, stamped, fully briefed motions, within two business days of filing. Memoranda of law and courtesy copies shall comply with this Court's Individual Rules and Practices. (Syed, Ayla) (Entered: 06/10/2022) |
| 06/13/2022 | 38 | RESPONSE in Opposition re 35 Letter MOTION for pre motion conference to Stay Discovery pending resolution of anticipated Motion to Dismiss Plaintiff's Amended Complaints filed by Trooper 1. (Licul, Valdi) (Entered: 06/13/2022) |
| 06/24/2022 | 39 | NOTICE of Appearance by Theresa Trzaskoma on behalf of Andrew Cuomo (aty to be noticed) (Trzaskoma, Theresa) (Entered: 06/24/2022) |
| 07/11/2022 | 40 | Letter MOTION for Extension of Time to File <i>Motions to Dismiss by individual defendants</i> by Richard Azzopardi, Melissa DeRosa. (Abramowitz, Elkan) (Entered: 07/11/2022) |
| 07/15/2022 | | ORDER: Defendants' request 40 , made with the consent of Plaintiff, for an extension of time to serve their motions to dismiss is GRANTED. Defendants shall serve Plaintiff with any motions to dismiss on or before July 15, 2022. Plaintiff shall serve Defendants with any opposition papers on or before August 16, 2022. Defendants shall serve any replies on or before August 30, 2022. As a courtesy, unless objected to by the parties, the Court asks that the parties file the motions only once they are fully briefed. Defendants shall provide the Court with a courtesy copy of the filed, stamped, fully briefed motions, within two business days of filing. Memoranda of law and courtesy copies shall comply with this Court's Individual Rules and Practices. Ordered by Judge LaShann DeArcy Hall on 7/15/2022. (Williams, Erica) (Entered: 07/15/2022) |
| 07/21/2022 | 41 | Letter MOTION to Stay Re: Request for a Conference to Stay Discovery by Richard Azzopardi, Melissa DeRosa. (Abramowitz, Elkan) (Entered: 07/21/2022) |

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| 07/25/2022 | | <p>ORDER: Motion Request for a Conference 41 is granted. A telephonic Status Conference will be held on 8/2/2022 at 2:00 p.m. before Magistrate Judge Taryn A. Merkl. The parties are directed to call the toll free number (877) 336-1839. The access code is 3914302. The parties shall dial in five (5) minutes before the scheduled conference.</p> <p>The status conference previously scheduled for 8/15/2022 at 10:00 a.m. is adjourned <i>sine die</i>. Ordered by Magistrate Judge Taryn A. Merkl on 7/25/2022. (Chan, Kaity) (Entered: 07/25/2022)</p> |
| 08/02/2022 | | <p>Minute Entry and Order: A telephonic Status Conference was held on 8/2/2022 before Magistrate Judge Taryn A. Merkl. Appearances by John Crain and Valdi Licul for Plaintiff; Joshua Steele for Defendant New York State Police; Theresa Trzaskoma and Rita Glavin for Defendant Andrew Cuomo; Elkan Abramowitz and Rachel Fleig-Goldstein for Defendants Melissa DeRosa and Richard Azzopardi. Discussion held regarding Defendants DeRosa and Azzopardi's Motion for Pre Motion Conference 35 in which they seek a stay of discovery pending resolution of their anticipated motion to dismiss and Defendants DeRosa and Azzopardi's Motion Request for a Conference 41 regarding the requested discovery stay. As stated on the record, Defendants DeRosa and Azzopardi's Motion for Pre Motion Conference 35 is granted as to the conference but is denied as to an indefinite stay of discovery. The Court finds that Defendants DeRosa and Azzopardi have not established good cause so as to warrant a complete stay of discovery given the nature of the case, and the arguments Defendants DeRosa and Azzopardi are advancing in support of their motion to dismiss. <i>See generally AA Med. P.C. v. Almansoori</i>, No. 20-CV-3852 (DG) (JMW), 2022 WL 624627, at *2 (E.D.N.Y. Mar. 3, 2022).</p> <p>As agreed on the record, Defendants DeRosa and Azzopardi are directed to provide to Plaintiff the documents they already produced in connection with the investigations conducted by the Attorney General and the Assembly. (<i>See</i> Defs.' Mot. for Pre-Mot. Conf., ECF No. 41, at 1.) Once Plaintiff receives those documents, Plaintiff and Defendants DeRosa and Azzopardi are respectfully directed to meet and confer to discuss further discovery requests. Defendants DeRosa and Azzopardi are not required to respond separately to Plaintiff's request for documents and interrogatories until Plaintiff has reviewed their anticipated production and the parties have met and conferred. Discovery shall proceed as to the remaining Defendants according to the schedule previously ordered by the Court. Ordered by Magistrate Judge Taryn A. Merkl on 8/2/2022. (AT&T Log #2:03-2:28.) (Devanathan, Deepa) (Entered: 08/02/2022)</p> |
| 08/30/2022 | 42 | MOTION for Extension of Time to File <i>Replies to Motions to Dismiss</i> by Andrew Cuomo. (Trzaskoma, Theresa) (Entered: 08/30/2022) |
| 08/30/2022 | 43 | TRANSCRIPT of Proceedings held on June 6, 2022, before Judge Merkl. Court Transcriber: Fiore Transcription and Transcription Service. Email address: cmfiore@sbcglobal.net. Transcript may be viewed at the court public terminal or purchased through the Court Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.File redaction request using event "Redaction Request - Transcript" located under "Other Filings - Other Documents". Redaction Request due 9/20/2022. Redacted Transcript Deadline set for 9/30/2022. Release of Transcript Restriction set for 11/28/2022. (Rocco, Christine) (Entered: 08/30/2022) |
| 08/30/2022 | 44 | TRANSCRIPT of Proceedings held on August 2, 2022, before Judge Merkl. Court Transcriber: Fiore Transcription and Transcription Service. Email address: cmfiore@sbcglobal.net. Transcript may be viewed at the court public terminal or purchased through the Court Transcriber before the deadline for Release of Transcript Restriction. After that date it may be obtained through PACER.File redaction request using event "Redaction Request - Transcript" located under "Other Filings - Other Documents". Redaction Request due 9/20/2022. Redacted Transcript Deadline set for 9/30/2022. Release of Transcript Restriction set for 11/28/2022. (Rocco, Christine) (Entered: 08/30/2022) |
| 09/02/2022 | 45 | MOTION to Dismiss for Failure to State a Claim by Andrew Cuomo. (Attachments: # 1 Memorandum in Support) (Glavin, Rita) (Entered: 09/02/2022) |
| 09/02/2022 | 46 | MEMORANDUM in Opposition re 45 MOTION to Dismiss for Failure to State a Claim (<i>Plaintiff's Opposition</i>) filed by Andrew Cuomo. (Glavin, Rita) (Entered: 09/02/2022) |
| 09/02/2022 | 47 | REPLY in Support re 45 MOTION to Dismiss for Failure to State a Claim filed by Andrew Cuomo. (Glavin, Rita) (Entered: 09/02/2022) |
| 09/02/2022 | 48 | Fully Briefed MOTION to Dismiss by Richard Azzopardi, Melissa DeRosa. (Foti, Catherine) (Entered: 09/02/2022) |
| 09/02/2022 | 49 | AFFIDAVIT/DECLARATION in Support re 48 Fully Briefed MOTION to Dismiss filed by Richard Azzopardi, Melissa DeRosa. (Attachments: # 1 Exhibit Trooper 1s Testimony Transcript Dated May 19, |

2021, # [2](#) Exhibit Melissa DeRosas Testimony Transcript Dated July 5, 2021, # [3](#) Exhibit Melissa DeRosas Testimony Transcript Dated July 5, 2021, # [4](#) Exhibit New York Attorney General's Report of Investigation into Allegations of Sexual Harassment by Governor Andrew M. Cuomo, # [5](#) Exhibit Richard Azzopardis Testimony Transcript Dated June 23, 2021, # [6](#) Exhibit Appendix Volume I of III to the Report of Investigation into Allegations of Sexual Harassment by Governor Andrew M. Cuomo, # [7](#) Exhibit September 28, 2021 Letter from Valdi Licul to Benjamin E. Rosenberg, # [8](#) Exhibit Final Version of the October 4, 2021 Letter from Benjamin E. Rosenberg to Valdi Licul, # [9](#) Exhibit New York Post Article Dated November 12, 2021, # [10](#) Exhibit Impeachment Investigation Report to Judiciary Committee Chair Charles Lavine and the New York State Assembly Judiciary Committee Dated November 22, 2021, # [11](#) Exhibit Richard Azzopardis Tweet Dated February 17, 2022 at 7:39 PM, # [12](#) Exhibit Richard Azzopardis Tweet Dated February 17, 2022 at 9:36 PM) (Foti, Catherine) (Entered: 09/02/2022)

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| 09/02/2022 | 50 | MEMORANDUM in Support re 48 Fully Briefed MOTION to Dismiss filed by Richard Azzopardi, Melissa DeRosa. (Foti, Catherine) (Entered: 09/02/2022) |
| 09/02/2022 | 51 | MEMORANDUM in Opposition re 48 Fully Briefed MOTION to Dismiss (<i>Opposition by Plaintiff</i>) filed by Richard Azzopardi, Melissa DeRosa. (Foti, Catherine) (Entered: 09/02/2022) |
| 09/02/2022 | 52 | REPLY in Support re 48 Fully Briefed MOTION to Dismiss filed by Richard Azzopardi, Melissa DeRosa. (Foti, Catherine) (Entered: 09/02/2022) |
| 09/03/2022 | | ORDER: In direct contravention of this Court's Individual Rules and Practices, Defendant Cuomo filed a request 42 for an extension of time to serve a reply in support of his motion to dismiss on August 30, 2022, the day the reply was due. The Court's Individual Rules and Practices require such requests be filed at least two business days before any deadline. In effect, Defendant Cuomo granted his own request for an extension when he let the service deadline lapse without response from the Court and proceeded to serve his reply on September 2, 2022. Further disregard of this Court's orders will not be tolerated and any future submission made after a deadline set by the Court, without leave, will not be considered. In any event, Defendant Cuomo's request 42 is DENIED AS MOOT. Ordered by Judge LaShann DeArcy Hall on 9/3/2022. (Syed, Ayla) (Entered: 09/03/2022) |
| 09/12/2022 | 53 | Letter <i>regarding Court Order on Extension of Time</i> by Andrew Cuomo (Glavin, Rita) (Entered: 09/12/2022) |
| 10/03/2022 | 54 | Letter <i>Re: Supplemental Authority</i> by Richard Azzopardi, Melissa DeRosa (Abramowitz, Elkan) (Entered: 10/03/2022) |
| 10/04/2022 | 55 | Letter <i>Re: Supplemental Authority</i> by Andrew Cuomo (Trzaskoma, Theresa) (Entered: 10/04/2022) |
| 10/11/2022 | 56 | Letter <i>Re: Supplemental Authority</i> by Trooper 1 (Licul, Valdi) (Entered: 10/11/2022) |
| 12/02/2022 | 57 | MOTION to Withdraw as Attorney by Richard Azzopardi, Melissa DeRosa. (Attachments: # 1 Ex. A - Proposed Order) (Fleig-Goldstein, Rachel) (Entered: 12/02/2022) |
| 12/05/2022 | | ORDER: Motion to Withdraw as Attorney by Richard Azzopardi and Melissa DeRosa (57) is granted. The Clerk of Court is respectfully directed to terminate Rachel M. Fleig-Goldstein as counsel of record for Defendants Richard Azzopardi and Melissa DeRosa. So Ordered by Magistrate Judge Taryn A. Merkl on 12/5/2022. (JF) (Entered: 12/05/2022) |